UNITED
NATIONS

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Economic and Social Council

Distr.
GENERAL

E/1981/WG.[illegible]SR.15
14 September 1981

ORIGINAL: ENGLISH

First regular session, 1981

SESSIONAL WORKING GROUP ON THE IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

SUMMARY RECORD OF THE 15th MEETING

Held at Headquarters, New York,
on Friday, 24 April 1981, at 3 p.m.

Chairman: Mr. JOHNSON (Ecuador)

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Consideration of reports submitted in accordance with Council resolution 1988 (LX) by States Parties to the Covenant concerning rights covered by articles 10 to 12 (continued)

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The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS SUBMITTED IN ACCORDANCE WITH COUNCIL RESOLUTION 1988 (LX) BY STATES PARTIES TO THE COVENANT CONCERNING RIGHTS COVERED BY ARTICLES 10 TO 12 (continued)

Report of the Union of Soviet Socialist Republics (E/1980/6/Add.17) (continued)

1. Mr. SOFINSKY (Union of Soviet Socialist Republics) said that the questions put by the members of the Working Group were an indication of their keen interest in the issues under consideration and of the situation in the Soviet Union with regard to those issues.

2. In reply to the question from the representative of Jordan regarding the supplementary leave without pay which could be added to maternity leave, he said that up to one year's leave after childbirth was now granted with pay. A fixed lump sum was paid to every woman on the birth of a child. However, if the total maternity leave of up to one and a half years was taken, the last six months were not covered. On the other hand, the woman's job or post was held open for her and the leave period was counted as part of her uninterrupted service.

3. Workers were required to pay a relatively small proportion of their income, only 3 to 4 per cent, for accommodation in the Soviet Union. He had realized, after travelling widely, that it was a unique phenomenon. Soviet housing policy, as formalized in article 44 of the Constitution of the USSR, provided for the construction and maintenance of housing at State expense. Moreover, the 3 to 4 per cent also covered utilities.

4. To the question whether general labour legislation applied to persons in forced labour camps, he said that there were no such camps in the Soviet Union. There were corrective labour camps, which took the place of prisons, but persons serving sentences in those camps were not part of the labour force. The wrongdoers sentenced to corrective labour camps by the courts received pay for their work and learned work skills and discipline. In the Soviet Union such re-education through group labour was preferred to a system of incarceration in isolated cells. The maximum sentence to corrective labour was 15 years. The freedom of movement of persons in the camps was naturally limited, but they retained contact with the outside world and were able to send and receive a certain amount of mail. They were not regarded as an integral part of the labour force, however, because the size of that force was governed by the national Five-Year Plans, whereas it was impossible to forecast how many persons would have to be sent to labour camps for correction.

5. Replying to the points raised by the representative of the German Democratic Republic, he said that the Twenty-sixth Congress of the Communist Party of the Soviet Union had decided to undertake measures aimed at further increasing the living standards of the people of the Soviet Union. Increases had been made in the guaranteed minimum wage, pensions, and other benefits. Real income was increased by an average of 16 to 18 per cent, 13 to 15 per cent for manual and non-manual workers and 20 to 22 per cent for those working in agriculture. Housing

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construction was expected to increase and further efforts were to be made to satisfy more fully the growing demand of Soviet citizens for consumer goods and food.

6. Turning to the question of divorce, raised by the representatives of the German Democratic Republic and Spain, he agreed that the divorce rate in the Soviet Union was relatively high; unfortunately it was a byproduct of industrial society and scientific and technical development. Statistics showed that three quarters of the divorces in the USSR were initiated by women, which might appear to illustrate the economic independence of Soviet women.

7. The procedures for obtaining a divorce had undergone a number of changes in the previous 60 years. Unknown in the years before the revolution, divorce became an extremely democratic process under the new Soviet State, which led bourgeois propagandists to state erroneously that the Soviet Union favoured the abolition of the family. A tough divorce law was passed in 1944, making divorce a longer and more complicated business. As a result in the 1950s, there were only 0.6 divorces per 1,000. However, legislation on the subject had become more democratic so that when both spouses agreed to divorce and there were no children under the age of 18, a couple could obtain a divorce in three months by making application to the Civil Registry Office. The only other case where divorce could be granted by the Civil Registy Office was when it was established that one spouse had disappeared, was legally incapable or was insane. When there were minors in the family, divorce proceedings had to be carried out through the court. The court always tried to effect a reconciliation between the spouses but, if this was impossible, the marriage would be annulled by the court. That new legislation had led to an increase in the divorce rate to 3.6 divorces per 1,000, compared to a marriage rate of 11 marriages per 1,000.

8. The representative of the German Democratic Republic had asked what was the role of the social consumption funds in raising the standards of living. Those funds had a very real significance in the Soviet Union, covering all or the bulk of the cost of health, education and community activities. It had been estimated that those funds effectively increased the pay of each citizen by 37 to 40 per cent. The social consumption funds were to increase further under the new five-year plan and would mean an extra 2,000 rubles per year for a family of four.

9. The representative of Bulgaria had raised the question of environmental protection in the Soviet Union. Protection of the environment was guaranteed under the Soviet Constitution and a whole series of laws relating to all aspects of the subject.

10. Article 18 of the Constitution of the USSR stated that in the interest of present and future generations, the necessary steps were taken in the USSR to protect and make scientific, rational use of the land and its mineral and water resources, and the plant and animal kingdoms, to preserve the purity of air and water, and ensure the production of natural wealth and improve the human environment. That concern was reflected in the protection of endangered species like the Bengal tiger and the European bijou and the meticulous attention paid to safeguarding the natural environment, particularly the quantity and quality of

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water, when such major engineering projects as hydroelectric power stations were being constructed. The legislation relating to the industrialization of remote areas provided for the prosecution of anyone responsible for polluting the natural environment. The beautiful Lake Baikal in Siberia, which had been the scene of much industrialization, had now been declared a nature preserve.

11. The representative of Bulgaria had also requested further information on obstetrical and gynaecological care of women. In 1977, the number of women's clinics had totalled over 10,000 and the figure had now risen close to 15,000. The work of those clinics was detailed in the report of the Union of Soviet Socialist Republics (E/1980/6/Add.17). Also mentioned in the report were the permanent commissions of the Soviet Union and the Soviet of Nationalities of the Supreme Soviet of the USSR on questions of women's working and living conditions and maternity and child welfare. Those commissions, each made up of 35 deputies, played a vital role in implementing women's rights.

12. Replying to the question of the representative of the Libyan Arab Jamahiriya, he said that the Constitution of the Union of Soviet Socialist Republics had always recognized that parents had a responsibility towards their children. It also recognized that children were obligated to care for their parents and to help them if necessary, a principle also embodied in the Code on Marriage and the Family. In those rare cases where parents who were unable to work were being neglected by their working children, a court could decide what assistance was required by the parents and that sum would be deducted from the monthly salary of the person or persons concerned and forwarded to the parents.

13. Turning to the exceptions to the minimum age at marriage for women in the Ukraine and Uzbekhistan, he pointed out that the fact that Uzbek and Ukrainian women could marry at the age of 17, rather than 18, as was the case in the rest of the USSR, was a result of historical traditions and customs. In general, however, the minimum age at marriage was 18.

14. The representative of Norway had requested further details on housing in the USSR, the average size of individual dwellings and the average number of persons per dwelling.

15. In the past 50 years the size of the urban population had increased from 28 million to 168 million. One half of the housing stock had been totally destroyed in the Second World War. That, combined with rapid industrialization and the growth of cities, had led to certain housing problems in the Soviet Union. The housing situation had improved dramatically since the end of the 1950s and the current target was a separate apartment for each family and one room per person per family. Two hundred and thirty million square meters of living space had been constructed in the past five years and a further 540 million square meters were planned for the next five. Every day in the Soviet Union, 30,000 families improved their housing conditions. Housing was almost free of charge and in general was built and owned by the State, although some dwellings were owned by co-operatives and, in rural areas, there were small private properties.

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16. In reply to the representative of Zaire, he said that Soviet citizens were permitted to marry aliens. For example, there were some 850,000 foreign students in the Soviet Union, chiefly from Africa, and many Soviet women had married Africans. The limitations on the right to marry were the same as those which applied to Soviet citizens: there must be mutual consent, the parties must have reached the age of 18 and they must be unmarried. An application must be made to the Civil Registry Office, accompanied by proof that the regulations had been complied with, and in two months' time the marriage could take place. Some 15,000 Soviet women had married foreigners and were living abroad in some 100 countries.

17. On the question regarding unemployment in the Soviet Union, he said that the last record of unemployment dated back to 1931. In fact, the Soviet Union had a tremendous labour shortage as a result of the loss of three generations of workers, with more than 20 million people killed in the Second World War. Steps were currently being taken to persuade pensioners to return to the labour force.

18. The representative of Spain had asked about the position of single fathers. Equality between men and women was laid down in the Constitution of the USSR and other legislation but he felt that in some respects the equality of men was beginning to lag behind. However, there had been a recent case in which a husband had received 56 days of post-maternity leave to care for his child after his wife's death.

19. Regarding the transfer of pregnant and nursing women to lighter work, he said that women were transferred when the work was too heavy, or when working conditions were dangerous or did not allow for a nursing break. In such cases the woman was transferred, but continued to receive her original salary. A pregnant or nursing woman could not be dismissed from her post.

20. Regarding the list of industries and occupations in which persons under the age of 18 could not be employed, he said that the training of persons under 18 years of age for listed occupations had also had to be prohibited because apprenticeships had been used to circumvent the law in some of the 3,000 trades and occupations where the use of juvenile labour was not permitted.

21. The representative of Spain had also asked whether foreign workers enjoyed the same rights as Soviet workers. It should be understood that there were no foreign workers in the Soviet Union in the sense of the migrant workers employed in other European countries. Foreign workers employed on special projects, as in the case of the steel project being constructed in the Soviet Union by the Federal Republic of Germany, frequently received special privileges under the bilateral agreements governing their status.

22. Among the questions asked by the representative of the Federal Republic of Germany and not already covered in the replies had been one concerning the system of private or subsidiary farming. Private plots were farmed in the rural areas and the Soviet State encouraged that type of farming, for example, through the granting of subsidies to buy cattle. Farmers and their families had their own system for organizing work on their plots, usually before or after their work on

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the collective farm. The machinery of the collective farm was frequently used to plow the individual plots, and so on.

23. Regarding the food situation in the Soviet Union, he said that it had been recognized that it was necessary to work out a special programme that would secure an adequate and uninterrupted supply of all necessary food products. The basic directives adopted at the recent Twenty-sixth Communist Party Congress would ensure a significant increase in the production of animal feed grains and thus make it possible to increase the production of meat. The supply of grain for human consumption was already more than adequate.

24. With regard to minimum income and minimum rates of pay, he said that a minimum level of income was guaranteed under Soviet and social legislation and economic development plans provided for minimum wage levels, which were steadily rising. There were wage differentials for work under difficult conditions, particularly harsh climatic conditions. In Siberia, for example, workers could receive double or triple the regular salary and were entitled to two months' leave instead of one each year. Under the current Five-Year Plan additional benefits were also to be granted to attract more labour to other areas, such as parts of the Urals, Kazakhstan, and some areas of the Far East. For example, one year's work could be counted as two for purposes of seniority.

25. The CHAIRMAN thanked the representative of the USSR and said that as there were no more questions, the Working Group had concluded its consideration of the report by the Union of Soviet Socialist Republics (E/1980/6/Add.17). He would therefore adjourn the meeting and members would reassemble immediately in closed session as the Drafting Group of the Whole.

The meeting rose at 4.30 p.m.